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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/560,382 Confirmation No.: 3834

First Named Inventor : Uwe HARDTKE Filed : September 19, 2006

TC/A.U. : 3616

Examiner : To Be Assigned Docket No. : 095309.57201US

Customer No. : 23911

Title : Watts Strut

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R § 1.97 AND 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

## I. Time Period of Submission

This Information Disclosure Statement is submitted:

| 1) no later than three months from the application's filing date  |
|---|
| or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R.§ 1.17(p) is required.   |
| 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (Exparte Quayle), (whichever is earlier), and therefore Applicant is filing concurrently herewith: |
| a Statement under 37 C.F.R. § 1.97(e); or   |
| a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).  |
| 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:  |

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

| II. Statement Under 37 C.F.R. § 1.97(e)   |
|---|
| I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or  |
| I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or |
| III. Statement under 37 C.F.R. § 1.704(d)   |
| I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.   |
| IV. Submission of Non-English Language Documents  |
| ☐ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:   |
| The relevance of document(s) to the subject matter of the present invention is/are provided in the specification of the above-identified application.   |
| Corresponding foreign or international report(s) citing document(s) <u>AA</u> , together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.   |
| English language family member publication(s) of document(s) is/are noted on Form PTO-1449.   |
| English language abstract(s) is/are submitted for document(s)   |

|   | English tran<br>nitted herew            | • • •  | f the fo                         | oreign languas                                     | ge document(s)                      |
|---|---|--|----------------------------------|--|-------------------------------------|
|   | Applicant                               | submits                                      | the                              | following  | explanations:                       |
|   | <del></del> •                           |  |                                  |  |                                     |
| V. <u>Continuations</u>   | s/Divisionals                           | <u>8</u>                                     |                                  |  |                                     |
| , filed _   |   | _, from whic                                 | h this a                         | application clai                                   | tion Serial No.                     |
| provided in 37 C.F. since they were prev<br>Trademark Office in   | viously subm                            | nitted to or c                               | ited by                          | the United Sta                                     |                                     |
| The submissi<br>that any such document<br>application. Application appropriate to antecessive reference against the | ment constituent does not late or other | tutes prior a<br>waive any r<br>rwise remove | rt agair<br>ight to t<br>any lis | nst the claims<br>take any action<br>sted document | n that would be                     |
| If necessary, a Deposit Account 05-forth in 37 C.F.R. §   | 1323, Attor                             |  |                                  |  | zation to charge<br>for the fee set |
|   |   | Respe  | ectfully                         | submitted,   |                                     |
| April 5, 2007   |   | Asme   | Xeous F. Mc                      | v∽<br>Keown  |                                     |
| CROWELL & MORI  |   | //   |                                  | No. 25,406   |                                     |
| P.O. Box 14300  | y Group                                 |  |                                  |  |                                     |

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PTO/SB/08a (09-06)
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|                        | Substitute for form 1449A/PTO |       |      | Co                     | omplete if Known   |
|------------------------|-------------------------------|-------|------|------------------------|--------------------|
|                        |                               |       |      | Application Number     | 10/560,382         |
| INFORMATION DISCLOSURE |                               |       |      | Filing Date            | September 19, 2006 |
| STATEMENT BY APPLICANT |                               |       | CANT | First Named Inventor   | Uwe HARDTKE        |
|                        |                               |       |      | Art Unit               | 3616               |
|                        | (Use as many sheets as ne     | cessa | ry)  | Examiner Name          | To Be Assigned     |
| Sheet                  | 111                           | of    | 2    | Attorney Docket Number | 095309.57201US     |

|   |      |  | U.S. PATENT I    |                             |                               |
|---|------|--|------------------|-----------------------------|-------------------------------|
| Examiner                                | Cite | Document Number                          | Publication Date | Name of Patentee or         | Pages, Columns, Lines, Where  |
| Initials'                               | No.1 | N  | MM-DD-YYYY       | Applicant of Cited Document | Relevant Passages or Relevant |
|   |      | Number-Kind Code <sup>2</sup> (if known) |                  |                             | Figures Appear                |
|   |      | US-                                      |                  |                             |                               |
| *************************************** |      | US-                                      |                  |                             |                               |
|   | ·    | US-                                      |                  |                             |                               |
|   |      | US-                                      |                  |                             | -                             |
|   |      | US-                                      |                  |                             |                               |
|   |      | US-                                      | <u> </u>         |                             |                               |

|                       |              | FOREIG   | ON PATENT DO                | CUMENTS  |   |   |
|-----------------------|--------------|--|-----------------------------|--|---|---|
| Examiner<br>Initials' | Cite<br>No.1 | Foreign Patent Document  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) | Publication Date MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | Т |
|                       | AA           | DE 93 19 677.6   | 02-10-1994                  | Porsche AG   |   |   |
|                       |              |  |                             |  |   |   |
|                       |              |  |                             |  |   |   |
|                       |              |  |                             |  |   |   |

| Examiner  | Date       |     |
|-----------|------------|-----|
| Signature | Considered | - 1 |
|           |            |     |

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| Substitute for form 1449B/PTO  INFORMATION DISCLOSURE |                        |  |                        |                      | Complete if Known  |   |
|---|------------------------|--|------------------------|----------------------|--------------------|---|
|   |                        |  |                        | Application Number   | 10/560,382         |   |
|   |                        |  | SURF                   | Filing Date          | September 19, 2006 |   |
|   |                        |  |                        | First Named Inventor | Uwe HARDTKE        | - |
| ၂ ၁   | STATEMENT BY APPLICANT |  |                        | Art Unit             | 3616               |   |
| (Use as many sheets as necessary)                     |                        |  | y)                     | Examiner Name        | To Be Assigned     |   |
| Sheet   | 2 of 2                 |  | Attorney Docket Number | 095309.57201US       |                    |   |

|                       |                          | NON PATENT LITERATURE DOCUMENTS   |    |
|-----------------------|--------------------------|---|----|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
|                       | AB                       | German Office Action dated December 21, 2006 with English translation (six (6) pages).  |    |
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|                       |                          |   |    |
| Examiner<br>Signature | T                        | Date<br>Considered  |    |

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Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.